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Counsel for the Official Committee of Unsecured Creditors

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

THE ROMAN CATHOLIC ARCHBISHOP OF
SAN FRANCISCO,

Debtor and Debtor in Possession.

Case No.: 23-30564

Chapter 11

**DECLARATION OF STEVEN A.
MORENO IN SUPPORT OF
APPLICATION OF THE OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS FOR ORDER APPROVING
EMPLOYMENT OF BURNS BAIR LLP
AS SPECIAL INSURANCE COUNSEL TO
THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS**

I, Steven A. Moreno, declare under penalty of perjury as follows:

1. I am the Co-Chair of the Official Committee of Unsecured Creditors (the “Committee”) of the above-captioned debtor and debtor in possession (the “Debtor”).

2. I submit this declaration (the “Declaration”) in support of the *Application of the Official Committee of Unsecured Creditors for Order Approving Employment of Burns Bair LLP as Special Insurance Counsel to the Official Committee of Unsecured Creditors* (the “Application”).¹

Except as otherwise noted, I have personal knowledge of the matters set forth herein.

¹ Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Application.

1 **THE COMMITTEE'S SELECTION OF THE FIRM AS COUNSEL**

2 3. The Committee chose Burns Bair LLP (the "Firm") to serve as special insurance
3 counsel to the Committee after a comprehensive review process for selecting special insurance
4 counsel. To that end, the Committee considered proposals from numerous law firms and
5 interviewed three firms. The Committee assessed potential counsel based on their expertise in the
6 relevant legal issues and in similar proceedings. Using this review process, the Committee retained
7 the Firm to serve as its special insurance counsel. I believe the Committee selected the Firm because
8 of its extensive experience in insurance litigation, Catholic entity reorganizations, and child sexual
9 abuse-related bankruptcies. Thus, I believe that the Firm is well qualified to represent the
10 Committee as special insurance counsel in this chapter 11 case in an efficient and timely manner.

11 **RATE STRUCTURE**

12 4. In my capacity as Committee Co-Chair, I am responsible for supervising counsel
13 retained by the Committee.

14 5. In connection with selecting the Firm as the Committee's special insurance counsel,
15 the Committee and the Firm agreed that the Firm will charge its regular hourly rates.

16 6. The Firm has represented to the Committee that Mr. Burns, Mr. Bair, Mr. Kuenzi,
17 Mr. Cawley, and Ms. Jonch-Clausen are the attorneys of the Firm currently expected to be
18 principally responsible for this case, and their customary hourly rates are: Timothy Burns (\$1,120);
19 Jesse Bair (\$900); Nathan Kuenzi (\$550); Brian Cawley (\$550) and Karin Jonch-Clausen (\$550).
20 The Committee has been advised that the hourly rates for any paralegals working on this case are
21 \$340. This arrangement was the product of a negotiation that took place in the context of the
22 Committee's law firm selection process.

23 7. The Firm has agreed to contribute ten percent of all fees received in this Case on a
24 final basis to a settlement trust that is approved as part of a plan of reorganization. As such fees are
25 paid, the funds will be held in a separate trust until a settlement trust is established through a plan of
26 reorganization.

1 **COST SUPERVISION**

2 8. The Committee recognizes that it is its responsibility to monitor the billing practices
3 of counsel to ensure the fees and expenses paid by the estate remain consistent with the Committee's
4 expectations and the exigencies of the chapter 11 case. The Committee will review any invoices that
5 the Firm submits, and, together with the Firm, be sure to periodically amend any budget and staffing
6 plans to the extent necessary.

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8 Executed this 17th day of November 2023.

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12 Steven A. Moreno, Co-Chair of the Official
13 Committee of Unsecured Creditors of The Roman
14 Catholic Archbishop of San Francisco
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